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STATE OF DELAWARE
DEPARTMENT OF STATE

DIVISION OF PROFESSIONAL REGULATION

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MEETING MINUTES:

BOARD OF PROFESSIONAL LAND SURVEYORS

DATE AND TIME:

Thursday, February 21, 2013 at 08:30 a.m.

PLACE:

861 Silver Lake Boulevard, Dover, Delaware
Conference Room A, second floor of the Cannon Building
March 21, 2013

MEMBERS PRESENT

James Bielicki, Jr., Professional Member, Chair
Franco R. Bellafante, Professional Member, Vice-Chair
Thomas Plummer, Professional Member
Charles Adams, Jr., Professional Member
Mark Rosenthal, Public Member, Secretary
Kenneth Monroe, Public Member

DIVISION STAFF

Patricia Davis-Oliva, Deputy Attorney General
Kevin Maloney, Deputy Attorney General
Amanda McAtee, Administrative Specialist II

MEMBERS ABSENT

PUBLIC

None

CALL TO ORDER

Mr. Bielicki called the meeting to order at 08:38 a.m.

Review and Approval of Minutes

Mr. Monroe made a motion, seconded by Mr. Bellafante, to approve the January 17, 2013 minutes. By unanimous vote, the motion carried.

Unfinished Business

Workshop Review

Possible amendments to Titles 9 and 22 of the Delaware Code regarding the issuance of a certificate of occupancy permits and survey monumentation

Possible amendment to Title 25, Chapter 3 regarding survey requirements for conveyances

After discussion and review of the workshop minutes, the Board concluded that there were many exceptions to consider regarding the proposed amendments. Mr. Bielicki stated that the Board would revisit this topic at the next meeting and that everyone should gather reasons for exceptions to discuss at the next meeting. The Board would continue to work on a draft of these proposed amendments.

NEW BUSINESS

Charles Fralinger – Review of Board Order

Ms. Davis-Olivia stated that Mr. Fralinger had complied with the hearing officer recommendations, which included the payment of a fine and the completion of PDH credits that he was deficient. The board order had not been issued; Ms. Davis-Olivia corrected this oversight and issued a board order for Mr. Fralinger.

Courses for Continuing Education Approval

James Hunt – Maryland Society of Surveyors

Maryland GIS Data Sources – 1 PDH

FEMA Presentation – 4 PDH

Mr. Plummer reviewed the PDH request from James Hunt for the approval of the course Maryland GIS Data Sources. Mr. Plummer made a motion, seconded by Mr. Monroe, to table the application.

Mr. Hunt needed to provide a detailed course schedule, course objectives, and instructor credentials for the Board to consider the application. By unanimous vote, the motion carried.

Mr. Plummer reviewed the PDH request from James Hunt for the approval of the FEMA Presentation. Mr. Plummer made a motion, seconded by Mr. Rosenthal to approve the course for 4 PDHs as requested. By unanimous vote, the motion carried.

Michael Ray – North Dakota Society of Professional Land Surveyors 34th Annual Convention

The Public Record and the PLSS – 2 PDH

Understanding Surveys, Descriptions, and Plats – 4 PDH

Expert Witness, Rule 26 Disclosure Reports – 4 PDH

Mr. Plummer reviewed the PDH requests from Michael Ray for the approval of the courses The Public Record and the PLSS, Understanding Surveys, Descriptions, and Plats, and Expert Witness, Rule 26 Disclosure Reports offered by the North Dakota Society of Professional Land Surveyors 34th Annual Convention. Mr. Plummer made a motion, seconded by Mr. Bellafante, to approve the courses for a total of 10 PDHs as requested. By unanimous vote, the motion carried.

Russell Burchfield – Tetra Tech

Ethics & Code of Conduct Training – 1 PDH with ethics designation of 1 PDH

Mr. Plummer reviewed the PDH request from Russell Burchfield for the approval of the Ethics & Code of Conduct Training course offered by Tetra Tech. Mr. Plummer made a motion, seconded by Mr. Rosenthal to deny the course for the requested 1 PDH with an ethics designation of 1 PDH. By unanimous vote, the motion carried. Under the 10.3.2 of the Board's Rules and Regulations online courses must have continuous mutual communication. No documentation was present that proved that there was interaction with the presenter as defined in Rule 10.3.2.

Review of Application for Licensure by Examination – None

Review of Application for Licensure by Reciprocity

William Cujdik, Pennsylvania and New Jersey

Mr. Bellafante reviewed the application from Mr. William Cujdik. After discussion, Mr. Bellafante made a motion, seconded by Mr. Monroe, to approve Mr. Cujdik's application and grant approval to sit for the Delaware Drainage & Jurisprudence Examination. By unanimous vote, the motion carried.

Review of Application for Surveyor Intern – None

Ratification of Issuance of Land Surveying Certificate of Authorization

True North Land Surveying, Inc.

Foresight Services, LLC.

Lane Engineering, LLC.

Mr. Rosenthal made a motion, seconded by Mr. Bellafante, to ratify the application of Certificate of Authorization for True North Land Surveying, Inc., Foresight Services, LLC., and Lane Engineering, LLC.. By unanimous vote, the motion carried.

Review of Land Surveying Certificate of Authorization – None

Review of Audits – None

Complaint Assignments – None

Complaint Status – None

Mr. Bielicki requested that Ms. McAtee list all open complaint statuses on the next agenda

Closed Complaints – None

Wall Certificates – None

Correspondence – None

Executive Discussion

There was no executive session for January.

OTHER BUSINESS BEFORE THE BOARD (FOR DISCUSSION ONLY)

Mr. Bielicki stated that he attended the Board assembly meeting in Atlanta, Georgia. CBT testing is scheduled to begin with the January 2014 fundamentals examination. NCEES has the authority to sanction an applicant for fraudulent activity during a test. Currently, the Board's licensure applications ask applicants if they have ever been sanctioned by another Board. Mr. Bielicki questioned if NCEES discipline should be added to the application question. Ms. Davis-Olivia read the Board's licensure requirements as stated in their statute and this topic was covered under the Board's rules of conduct. There was no other discussion on the topic.

Ms. McAtee announced that next month she would be training a new administrative assistant to take over Board Liaison duties as she was being reassigned. The Board wished Ms. McAtee well.

PUBLIC COMMENT

There was no public comment.

NEXT MEETING

The next meeting of the Board is March 21, 2013 at 8:30 a.m. in Conference Room A, second floor of the Cannon Building, 861 Silver Lake Boulevard, Dover, Delaware.

ADJOURNMENT

There being no further business before the Board, Mr. Rosenthal made a motion, seconded by Mr. Monroe, to adjourn the meeting at 9:55 a.m. By unanimous vote, the motion carried.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'A McAtee', with a stylized flourish at the end.

Amanda McAtee
Administrative Specialist II

The notes of this meeting are not intended to be a verbatim record of the topics that were presented or discussed. They are for the use of the Board members and the public in supplementing their personal notes and recall for presentations.